

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, and rodent hairs; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 4, 1954. The Booth Fisheries Corp., claimant, having filed an answer admitting the facts alleged in the libel, judgment of forfeiture was entered and the court ordered that the product be destroyed

## FRUITS AND VEGETABLES

### CANNED FRUIT

**21281. Adulteration of canned sliced papaya. U. S. v. 24 Cases \* \* \*. (F. D. C. No. 36339. Sample No. 42166-L.)**

**LIBEL FILED:** March 10, 1954, Northern District of California,

**ALLEGED SHIPMENT:** On or about January 28, 1954, by the Hawaiian Sun Products, from Honolulu, T. H.

**PRODUCT:** 24 cases, each containing 12 jars, of sliced papaya at San Francisco, Calif.

**LABEL, IN PART:** (Jar) "Granucci's Gold Label Sliced Papaya In Heavy Syrup \* \* \* Net Wt. 1 Lb."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** April 15, 1954. Default decree of condemnation and destruction.

**21282. Misbranding of canned pears. U. S. v. 70 Cases \* \* \*. (F. D. C. No. 36173. Sample No. 84611-L.)**

**LIBEL FILED:** December 10, 1953, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 26, 1953, by Jay Lo Foods, from New York, N. Y.

**PRODUCT:** 70 cases, each containing 24 cans, of pears at Philadelphia, Pa.

**LABEL, IN PART:** (Can) "Halves Nor-Mont Bartlett Pears Net Weight 1 Lb. \* \* \* W. A. Bauer Co. Distributors Norristown, Pa. Heavy Syrup," "Shamrock Brand In Heavy Syrup Bartlett Pears Contents 1 Lb.," or "Golf Club Brand Bartlett Pears \* \* \* Fancy In Heavy Syrup Contents 1 Pound."

**NATURE OF CHARGE:** Article labeled, in part, "Nor-Mont Bartlett Pears." Misbranding, Section 403 (a), the label statement "W. A. Bauer Co. Distributors Norristown, Pa." was false and misleading since the article was not distributed by that firm; Section 403 (g) (2), the label of the article failed to bear, as required by the definition and standard of identity for canned pears, the name of the optional packing medium present in the article, namely, light sirup; and, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned pears since the article was in containers of 10 or more units and more than 10 percent of the units were broken, and the label failed to bear a statement that the article fell below such standard.

Article labeled, in part, "Golf Club Brand" and "Shamrock Brand." Misbranding, Section 403 (g) (2), the label of the article failed to bear, as required

by the definition and standard of identity for canned pears, the name of the optional pear ingredient present in the article, namely, halves.

**DISPOSITION:** January 18, 1954. Morris Factor, Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

#### **DRIED FRUIT**

**21283. Adulteration of dried unpitted dates. U. S. v. 11 Boxes \* \* \*. (F. D. C. No. 36694. Sample No. 83603-L.)**

**LIBEL FILED:** March 23, 1954, District of Minnesota.

**ALLEGED SHIPMENT:** During the summer of 1953, from Grand Forks, N. Dak.

**PRODUCT:** 11 15-pound boxes of dried unpitted dates at Thief River Falls, Minn.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 23, 1954. A default decree was entered providing for the destruction of the article unless denatured for use as animal feed.

**21284. Adulteration of raisins. U. S. v. 50 Cartons \* \* \*. (F. D. C. No. 36400. Sample No. 43609-L.)**

**LIBEL FILED:** On or about March 1, 1954, Southern District of New York.

**ALLEGED SHIPMENT:** On or about January 15, 1954, by the California Packing Corp., from San Francisco, Calif.

**PRODUCT:** 50 cartons of raisins at New York, N. Y.

**LABEL, IN PART:** (Carton) "30# Net Star and Crescent Brand Extra Fancy Bleached Thompson Seedless Raisins."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, and rodent hairs.

**DISPOSITION:** May 11, 1954. Default decree of condemnation and destruction.

**21285. Adulteration of raisins. U. S. v. 199 Cases \* \* \*. (F. D. C. No. 36182. Sample No. 42125-L.)**

**LIBEL FILED:** On or about December 9, 1953, District of Maryland.

**ALLEGED SHIPMENT:** On or about November 2, 1953, by the Sun-Maid Raisin Growers of California, from Fresno, Calif.

**PRODUCT:** 199 cases, each containing 48 packages, of raisins at Baltimore, Md.

**LABEL, IN PART:** (Package) "Net Wt. 15 Oz. Sun-Maid Raisins Puffed Seeded Muscats."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** January 5, 1954. Default decree of condemnation and destruction.